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Senator Jonathan A. Harris  
Chief Assistant Majority Leader  
Public Health Committee, Chair  
Connecticut General Assembly  
Legislative Office Building, Room 3000  
Hartford, CT 06106-1591

Dear Senator Harris and Members of the Public Health Committee,

It was about six months ago that I was very surprised to learn that Connecticut is one of the very few remaining states in the country that has not enacted legislation that allows students, with permission from their parents and doctors, to carry their prescribed epinephrine at school. As of today, forty-two out of the fifty states and the District of Columbia have enacted legislation allowing students to carry their prescribed epinephrine at school (please reference The Food Allergy & Anaphylaxis Network (FAAN) link <http://www.foodallergy.org/advocacy/advocacy-schools.html> and attachment). In addition, legislation has also been proposed in Georgia and New York in addition to here in Connecticut with S.B. No. 755, An Act Concerning The Use of Asthmatic Inhalers And Epinephrine Auto-Injectors While At School.

My fourteen year old son, Marc Berman, has a life threatening allergy to peanuts and tree nuts. Since he was diagnosed at a very young age, his Epipen has always, always, always been nearby. It has to be because we never know what moment it may be essential to saving his life. Despite Marc being acutely aware of his health risk along with his family, friends, coaches, and teachers, and his being extremely vigilant about avoiding exposure to food allergens, he still has had two extremely frightening allergic reactions. His Epipen may very well have saved his life. This school year he began his freshman year in high school and it has become more and more absurd that he is not allowed to carry his Epipen with him where he spends the majority of his day, in school. It is simply unacceptable at his age to have to rely on a teacher or classmate making a phone call to the nurse who we hope is immediately available that then has to get his Epipen out of a locked cabinet and then transport it across a large high school to administer his Epipen... hopefully in time!

Having his Epipen immediately available while at school may make the difference one of these days between my son dying or having the opportunity to live to enjoy the full life that he deserves! If not my son, then it may quite possibly save the life of one of the thousands of food allergic sons and daughters of other parents across the state Connecticut.

I respectfully ask that you please support passage of S.B. 755. Thank you.

Sincerely,



Larry S. Berman

# \* Source: The Food Allergy & Anaphylaxis Network

Senate Bill 1367, introduced in **Virginia**, calls on each local school board to develop and implement a policy for managing public school students with life-threatening food allergies no later than January 1, 2010. The bill also requires appropriate school personnel to receive food allergy management training.

For information on helping pass any of this legislation, please send an email to [cweiss@foodallergy.org](mailto:cweiss@foodallergy.org)

## Carrying Prescribed Epinephrine at School

Below are the states that now have laws or regulations allowing students to carry, and potentially self-administer, their prescribed epinephrine at school (with year of enactment in parentheses):

Alaska (2005)	Maine (2004)	Oregon (2007)
Arizona (2005)	Maryland (2005)	Oklahoma (2008)
Arkansas (2005)	Massachusetts (1993)	Rhode Island (1998)
California (2004)	Michigan (2004)	South Carolina (2005)
Colorado (2005)	Minnesota (2004)	Tennessee (2005)
Delaware (2003)	Missouri (2006)	Texas (2006)
District of Columbia (2007)	Montana (2005)	Utah (2008)
Florida (2005)	Nebraska (2006)	Vermont (2008)
Hawaii (2004)	Nevada (2005)	Virginia (2005)
Idaho (2008)	New Hampshire (2003)	Washington (2005)
Illinois (2006)	New Jersey (2001)	West Virginia (2004)
Indiana (2001)	New Mexico (2005)	Wyoming (2007)
Iowa (2004)	North Carolina (2005)	
Kansas (2005)	North Dakota (2005)	
Kentucky (2004)	Ohio (2006)	

## OTHER SCHOOL ISSUES

### Statewide Guidelines for Schools

Statewide guidelines to help schools manage students with food allergies have now been published in Arizona, Connecticut, Maryland, Massachusetts, Mississippi, New Jersey, New York, Tennessee, Vermont, and Washington.

### School Lunch Guidelines

The U.S. Department of Agriculture (USDA), the federal body that oversees the national school lunch program, has a guidance document entitled *Accommodating Children with Special Dietary Needs*. In this document, the USDA recommends that children with life-threatening food allergies be given a safe substitute meal, based on instructions from the child's physician.

### Schools and the Law

It is generally accepted that children with life-threatening food allergies are considered disabled under federal civil rights laws, such as Section 504 of the Rehabilitation Act and the Americans With Disabilities Act (ADA). Section 504 is overseen by the U.S. Department of Education's Office for Civil Rights, and the U.S. Department of Agriculture's Office for Civil Rights. The ADA is overseen by the U.S. Department of Justice.

## CAMP-RELATED ISSUES